

Shattering Lives and Myths:

A Report on Image-Based Sexual Abuse

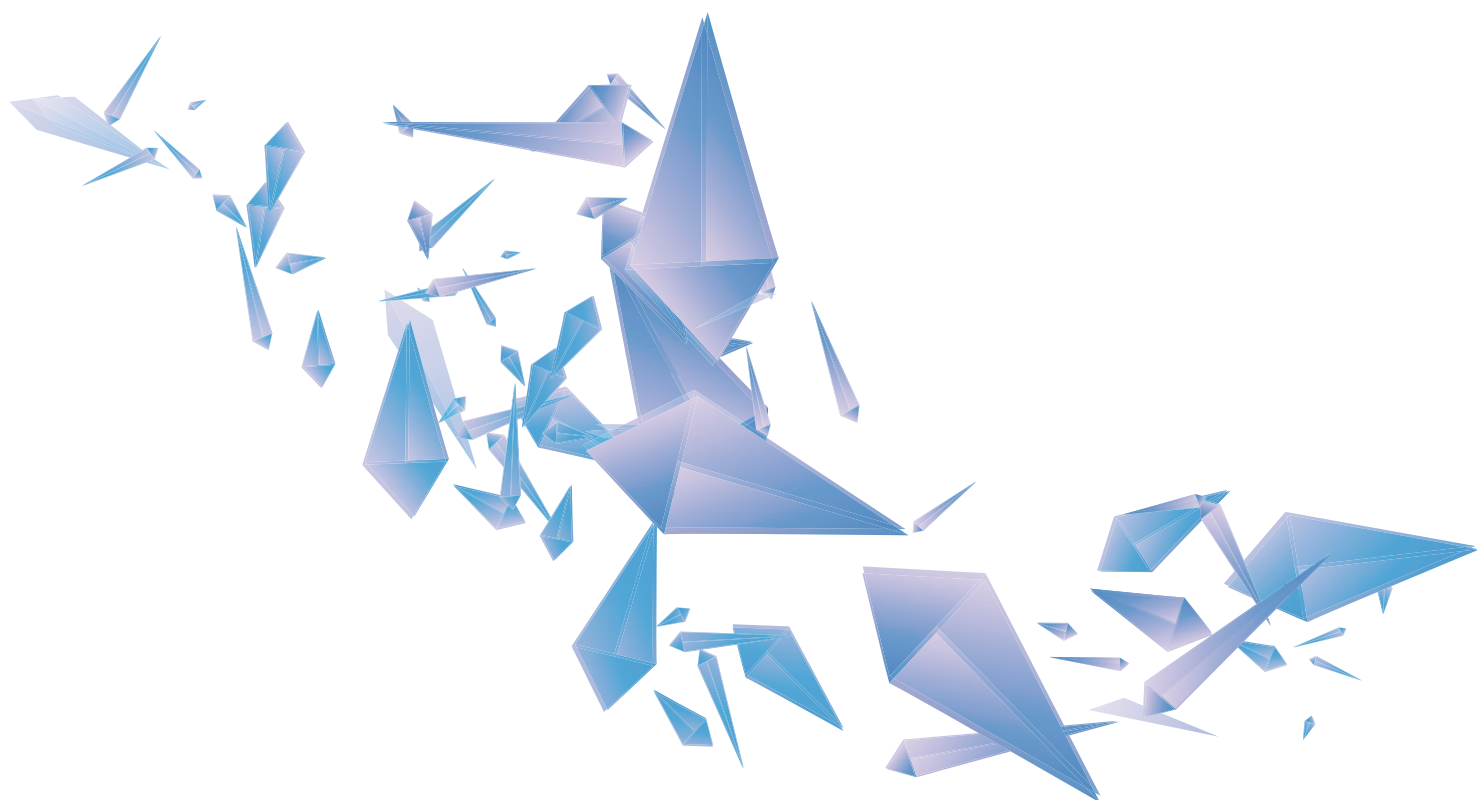
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The UK report from an Australian Research Council funded project (DP170101433) Revenge Pornography:
The Prevalence and Nature of Non-Consensual Imagery and the Implications for Law Reform.

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Shattering Myths and Lives: A Report on Image-Based Sexual Abuse

Key findings and recommendations

Image-based sexual abuse is a pervasive and pernicious form of sexual abuse. We use the term ‘image-based sexual abuse’ to refer to a broad range of abusive behaviours including the taking and/or distribution of nude or sexual images without consent, including threats to do so, which includes so-called ‘revenge porn’, ‘upskirting’, fakeporn, sexual extortion and videos of sexual assaults and rapes.

This report draws on interviews with 25 victim-survivors of image-based sexual abuse and over 25 stakeholders, including police, policy-makers, lawyers and survivor organisations conducted over a six-month period in 2018.

The authors of this report explicitly acknowledge that there are key gaps in understanding experiences of and responses to image-based sexual abuse which this report does not address. In particular, our analysis and according policy recommendations do not speak comprehensively to the experiences of black and minoritised ethnic (BME) people.

Shattered lives

- Image-based sexual abuse shatters lives
- Significant numbers of victim-survivors experience profound ‘**social rupture**’ – a major devastation that drastically alters all aspects of their lives
- **Threats** are experienced as **life-threatening** and **paralysing**
- Intense **isolation** from friends, family, the online world and society in general characterises many experiences
- Victim-survivors spoke of abuse that is **constant**, ongoing and relentless; that shatters not only their lives, but also the lives of those who love and support them

Shattering myths

- Image-based sexual abuse thrives on myths. Myths about motives. Myths about victims. Myths about political, legal and institutional responses
- The reality is that image-based sexual abuse is motivated by **control**, as well as **misogyny**, men’s entitlement and ‘laddish’ attitudes
- Image-based sexual abuse is a **gendered harm**, with many victim-survivors experiencing devastating harms because of the social and political context of the sexual double standard and online abuse of women
- Lack of support leaves victim-survivors isolated, often attempting to navigate alone an unfamiliar, complex and shifting terrain of legal provisions and online regulation

What needs to change?

Comprehensive legal reform

- Recognise image-based sexual abuse as a sexual offence
- Adopt a comprehensive criminal law to cover all forms of image-based sexual abuse including threats and fakeporn
- Remove motive requirements from current laws to bring them into line with other sexual and criminal offences
- Extend automatic anonymity to all complainants of image-based sexual abuse
- Extend civil legal aid to cover legal advice and support for all forms of image-based sexual abuse

Support victim-survivors to reclaim control

- Comprehensive Government policy on supporting victim-survivors of image-based sexual abuse, including sustained and effective resourcing of specialist support services, inclusive of specialist services for black and minoritised women
- Establish an Office for Online Safety to provide specialist advice, assistance and support for victim-survivors, as well as focussing on prevention through education

Effective and resourced training, education and guidance

- Schools, universities and employers must put in place training and policies to effectively and compassionately respond to disclosures of image-based sexual abuse
- Relationships and sex education in schools must include discussion of the harms and wrongs of image-based sexual abuse
- Introduce comprehensive police training and guidance on responding to image-based sexual abuse

Next steps

- Further work is urgently needed to recognise, centralise and respond to the experiences of black and minoritised women experiencing image-based sexual abuse, as well as any other individuals or groups facing interlocking oppressions in society, inclusive of racism, xenophobia, ableism, heterosexism and ageism

What is image-based sexual abuse?

MYTH: Image-based sexual abuse is a communications offence

WRONG! Many victim-survivors experience this abuse as a form of sexual assault

We use the phrase 'image-based sexual abuse' as a broad term to cover all forms of:

- **Taking or creating** nude or sexual images or videos without consent, including making 'fake' nude or pornographic images and/or
- **Sharing** nude or sexual images or videos without consent and/or
- **Threatening** to take, share or create nude or sexual images or videos without consent

We do not use the term 'revenge porn' as this fails to cover the nature or breadth of abusive behaviour involving non-consensual imagery. Also, not all perpetrators are motivated by 'revenge' and victim-survivors rightly object to the term 'revenge porn' as it has victim-blaming connotations. The focus must be on the harm experienced by victim-survivors, not the motivations of perpetrators.

Victim-survivors explained to us the importance of language in capturing the harms experienced when sexual images are taken and/or shared without consent:

Lucy: It's an abuse of me and my body. It feels like it's sexual abuse. I feel like it's on a par with sexual abuse, just the toll it's taken on me. And I know people might say that sounds like an exaggeration, but that is genuinely how I feel. So I think it's important that [abuse] forms part of the name because it's important to recognise that.

Deborah: It's a type of rape, it's just the digital version, like you're still being exploited, you're still being made very vulnerable and it's still against your will ... you're being raped, it's just in a different way, it's just a new version of it.

***'I was embarrassed and I was ashamed ...
I took an overdose'***

Louise

Sonia said '*well the whole term [revenge porn] is disgusting*'. Vicky shared this view:

I really don't like that phrase ... because I feel like, although they are pornographic images, like do you really want pictures of your body being talked about as porn? ... I feel like the term is quite negative to victims as well ... I just feel like it's more like sexual abuse ... like cyber sexual abuse.

What is 'fakeporn'?

A growing problem is the use of technology to alter videos or images to make them sexual: for example, taking a profile picture from Facebook and digitally altering it, to make it sexual or pornographic.

Sarah: I got an email from someone ... saying ... "Are you sure you want this on the internet?" And it was a load of very explicit porn with my name attached and my face attached. But it was photoshopped ... he'd clearly gone through my Facebook photos ... and then photoshopped me into some very hardcore porn and had put it on the internet under my real name with my Facebook profile picture as the profile picture up there. So it was very identifiably me.

While 'photoshopping' technology has been available for decades, the use of artificial intelligence through new apps ('deepfakes') are making altering videos much more straightforward and sophisticated. To the untrained eye, it is very difficult to tell the difference between the fake and real images, and so the harm and harassment felt by victim-survivors is just as significant. As a stakeholder supporting victim-survivors explained to us: '*it's still a picture of you ... it's still abuse*'.

To date, few laws cover the creation of fakeporn.

Paralysing and life-threatening impact of threats

Nearly half of the victim-survivors we spoke to had experienced threats to share nude or sexual images/videos without consent. While many of these threats were followed by non-consensual sharing, we must recognise that threats to share such images can in and of themselves have significant, life-threatening impacts.

Life-threatening: For Louise, the fear of the images being shared was such that she tried to end her life: *'I was embarrassed and I was ashamed ... and I felt stupid. ... Even now I'm still not sure whether or not she will send them ... my mental health deteriorated quite significantly ... I took an overdose.'*

Paralysing: For Stephen, the threats had a paralysing effect on his daily life:

... before all this happened I had no problem sleeping eight hours a day. [Now] I'll be lucky if I sleep two hours straight and don't get up and check my phone and then I go back to sleep and wake up again and check my phone ... And it's just this panic that something is going to happen. And it's like as time goes on it doesn't really fade. Because I think like the second that I don't, I'm not prepared for it, then it's going to happen.

'It's an abuse of me and my body. It feels like it's sexual abuse'

Lucy

'It's still a picture of you ... it's still abuse'

Stakeholder working with victim-survivors

'It's just this panic that something is going to happen ... I think like the second that I'm not prepared for it, then it's going to happen'

Stephen

'It's a type of rape, it's just the digital version'

Deborah

Control: For others, the threats were part of a means of power and control.

Alison: So I was 18 at the time ... I was drunk and [my ex-boyfriend had] taken photos of me ... the next day ... he showed me them. And I was a bit like "oh no". And then he started saying "oh, I've showed my friends". And each time we'd get into an argument it would be like "oh, I'm going to put them on the website" ... He was quite controlling and manipulative ... But I just tried to keep the peace because I obviously didn't want them to end up anywhere. So it was quite scary because you're controlled by that.

Not only sharing without consent

Image-based sexual abuse is not just about nude or sexual images or videos being shared without consent. The majority of the victim-survivors we spoke to had in fact experienced more than one form of image-based sexual abuse, most often having had images taken, threatened and shared without their agreement.

Key findings

- Shattering myths: many victim-survivors experience this abuse as a form of sexual assault
- Threats can have life-threatening and paralysing impacts
- Fakeporn is a growing and harmful problem
- Most victim-survivors experienced more than one form of image-based sexual abuse

Recommendations

- Extend English & Welsh and Northern Irish law to cover threats to share nude or sexual images without consent
- Extend English & Welsh and Northern Irish law to cover altered, 'fake' sexual images
- Recognise image-based sexual abuse as a sexual offence
- Adopt a comprehensive criminal law covering all forms of image-based sexual abuse

Control and misogyny motivate perpetrators

MYTH: Image-based sexual abuse is all about revenge

WRONG! Image-based sexual abuse is perpetrated for a complex mix of motivations

Most of the women we spoke to had experienced image-based sexual abuse in the context of a previous or ongoing intimate relationship, and all but one of the perpetrators were men. Other cases involved men experiencing abuse from other men and one from a woman. We asked our participants why they thought the perpetrator had taken, shared or threatened to share their sexual images without their consent.

Our research reveals a complex picture in which there is rarely a single motivation for image-based sexual abuse. Participants identified a range of motives, including control, attention seeking, jealousy, obsession, misogyny and lad culture, sexual gratification, a 'prank', distress, humiliation, entitlement, and to build up social capital. This highlights the problem with legislation looking for one clear identifiable reason for behaviour.

Coercion and control: 'It was always a control mechanism'

Our research confirms that there is a strong relationship between image-based sexual abuse, domestic abuse and coercive control, and other forms of gender-based violence and harmful practices. Participants spoke of their former or current partner's 'controlling', 'manipulative', 'obsessive' or 'belittling' behaviours. Over half of the victim-survivors we spoke to perceived that a primary motivation for the perpetrator was 'control'. Of these, the overwhelming majority had experienced image-based sexual abuse in the context of an intimate relationship.

Liz: ... he just was not a nice guy and I think ... he was very controlling and manipulative. So, when we were going out ... he would jokingly say ... "If we ever fall out I can show people these photographs" ... And in hindsight now I realise that that is very controlling behaviour.

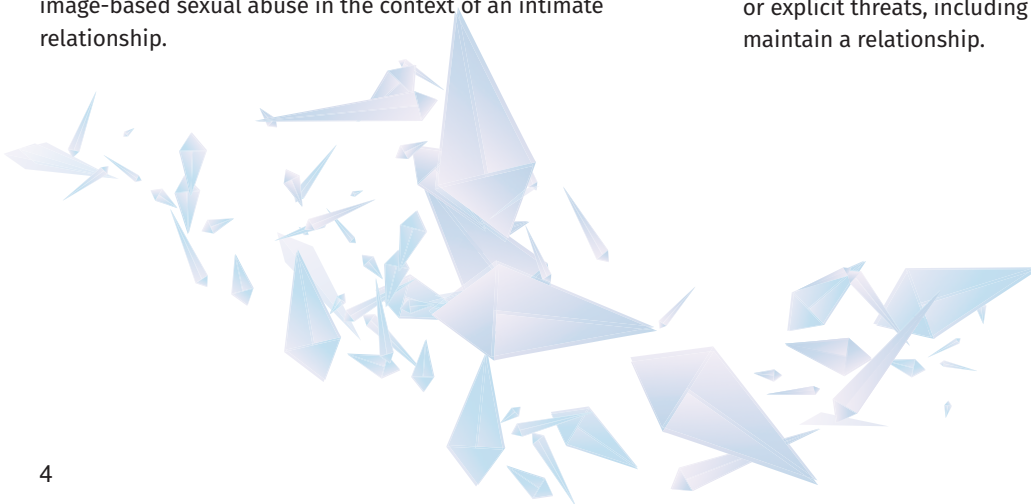
Of the victim-survivors who were in an intimate relationship with the perpetrator at the time of the image-based sexual abuse (all of whom were women) many explicitly characterised their relationship as involving an ongoing pattern of domestic abuse.

Zoe: It was definitely an abusive relationship, physically and verbally and the use of it [image-based sexual abuse] as a tool for controlling me.

As one of the stakeholders who works with victim-survivors told us:

It's not one act of revenge after a breakup. It's a continued pattern of control ... It's another means to degrade them, to humiliate them, shame them, control them, maybe coerce them into coming back.

A number of victim-survivors spoke of being pressured into taking and sending images, or having such images taken. For some of our participants this took the form of 'grooming', while for others it was in order to avoid the consequences of implicit or explicit threats, including of physical violence, or in order to maintain a relationship.



Frances: *It started being ... “oh, I’m away for work – can you send me a picture?” And they gradually got more sexual. And then it started being a way for him to control me ... he would say specific things I needed to be doing or wearing. And then he would say “I’m just with the boys”. And it was that thing of not knowing if he was showing them. ... abusive relationships are very controlling and manipulative ... And then there ends up being a time where we were being intimate and he wanted to record it, he wanted to film it – which I wasn’t happy with. But the threat of being hit, like physically abused was greater. So I just said OK. I wasn’t comfortable with it.*

Misogyny and entitlement: ‘He wanted everybody to see him as a lad, basically’

Another key theme was ‘misogyny and entitlement’: where men are more motivated by how they are perceived by others, than by harming the victim-survivor. Victim-survivors reported motivations relating to misogyny, sexual entitlement, and ‘lad culture’ or ‘lad points’, highlighting the gendered dimension to experiences of image-based sexual abuse:

Vicky: *It’s this whole thing of “how many girls have you slept with?” “I’ve slept with this many”, it’s all this ‘lad point’, laddish lifestyle. And I feel like my boyfriend at the time he was very “oh my girlfriend’s fit” and he was just being very immature and wanted to show me off to his mates, just for the sake of being “look at this fit girl that I’m sleeping with”.*

Alison: *... all his friends thought that I was fit and they’d flirt with me. So I think it was probably a bit of a show-off. And he ended up being a bit of a control freak as well.*

Mary: *I think, for him, it was just about getting more notches on his bedpost, “Oh yeah, she’s good fun, she’s up for this”.*

‘I think for him, it was just about getting more notches on on his bedpost’

Mary

‘It’s not one act of revenge after a breakup. It’s a continued pattern of control’

Stakeholder working with victim-survivors

Participants spoke of the perpetrator’s sense of entitlement. In a number of cases, the victim-survivor had sought to protect herself by refusing to take and/or send private sexual images, only to find that the perpetrator had taken images of her without her knowledge:

Katherine: *[Throughout] our whole relationship from the beginning ... like me coming out of the shower, or me getting dressed, undressed, me performing oral sex on him, he’d taken images. Some of them are behind his hand, some of them even were behind my toddler ... [I was] totally unaware [these photos were being taken]. I would have got him to delete them straightaway if I’d known about these images ... the thought of him taking images makes me feel quite sick, because I thought I was safe in that, the fact that he could never threaten me with anything in terms of images because we don’t have any.*

Key findings

- Shattering myths: perpetrators are motivated by more than revenge
- Many perpetrators are motivated by seeking power and control
- Many victim-survivors experience image-based sexual abuse as a means of coercive control, both during and following the end of intimate relationships
- Misogyny, men’s entitlement and ‘laddish’ attitudes also drive image-based sexual abuse, highlighting the gendered nature of many experiences

Recommendations

- Recognise image-based sexual abuse as being motivated more by control and misogyny, masculine entitlement and attitudes, than ‘revenge’
- Remove motive requirements from current laws to bring into line with other sexual and criminal offences
- Government funded education and prevention campaigns to challenge attitudes and motivations driving image-based sexual abuse

Shattering Lives: Social rupture and the harms of image-based sexual abuse

MYTH: It's only a photo, you can move on

WRONG! Image-based sexual abuse can shatter lives

While it seems widely accepted that image-based sexual abuse causes considerable harm – that's why we have some new laws – victim-survivors we spoke to say their harms are not properly recognised and understood. Indeed, Lucy told us that 'I would never have predicted it would take this big a toll on me'. Public debate and terminology often minimises their experiences. Victim-blaming is commonplace.

Our research with victim-survivors from across the UK, Australia and New Zealand suggests that we need to understand the harms more holistically and in their social context of misogyny and sexual double standards. While some victim-survivors experience significant psychological trauma, we must see beyond this conventional medical model of harm in order to fully encapsulate the depth and breadth of the harms, and the interconnected nature and totality of their experiences.

Three key themes emerged:

- Social rupture
- Constancy
- Isolation

Social rupture: 'My whole world just crumbled'

A significant number of our participants described their experiences in terms of what we are calling 'social rupture': a marked and overwhelming breach – or rupture – that radically disrupted their lives. While differences in life experience, social identity and age meant that our participants faced different impacts and ramifications, they commonly experienced the abuse as an extreme, unsettling and intrusive violation. Victim-survivors talked about being '*completely, completely broken*'; others characterised their experiences as '*life-ruining*', '*hell on earth*' – '*a nightmare ...[that] destroyed everything*'.

'There is no end to it, there is no stop, there is no finale...'

Anna

What is social rupture?

The social rupture of image based sexual abuse can be described as:

- a significant devastation that drastically changed victim-survivors lives
- an extreme, unsettling and intrusive violation
- victim-survivors distinguished their lives and sense of self into 'before' and 'after' their experiences

Social rupture describes the *totality* of the harms experienced – for some, the complete and utter devastation. The impacts of their experiences were all-encompassing and pervasive, radically altering their everyday life experiences, relationships and activities, and causing harms which permeated their personal, professional and digital social worlds.

As described by Maya: the harm '*transcends*' everything; '*it impacts you emotionally, physiologically, professionally, in dating and relationships, in bloody every single factor of your life*'.

For the women and men who experienced 'social rupture', most had experienced multiple forms of abuse, had their images widely circulated online, and/or the abuse had affected their professional lives. Most had experienced the often paralysing and devastating impact of threats to share images. Most victim-survivors spoke of experiencing a sexual double standard, and online abuse following the publication of their images.

Jennifer: *It obviously does define my life now ... it has completely changed my life in horrific ways.*

Maya: image-based sexual abuse '*impacts your sense of self on every level ... Because, for me, that has changed who I am as a person*'.

Intersectional harms and oppressions

Some of the victim-survivors we spoke to reflected how their particular social, cultural or ethnic identities, life experiences and life stage impacted the harms, oppressions and consequences they encountered in the context of image-based sexual abuse.

- Tia, for example, is one of our research participants who self-identifies as being a migrant woman, originally from a 'conservative Muslim country'. Tia experienced threats to share intimate images of her without her consent from an acquaintance. She told us the socio-political context in her 'home nation' meant that not only would it be deeply shameful for her and her broader extended family if the intimate images of her were shared, but it would also be dangerous – potentially exposing her to state, community and/or honour-based violence, and putting her physical safety and liberty in jeopardy.
- Another common theme identified by participants living with a disability and/or long-term health condition was that the experience of image-based sexual abuse, and the social rupture it caused, significantly destabilised or worsened their health. This, in turn, caused additional harm, negatively affecting their professional lives, education, relationships with others, and wellbeing.

These examples emphasise the importance of understanding and responding to the significant gendered and intersectional harms and oppressions implicated in image-based sexual abuse – through recognising the lived experiences of victim-survivors, and their situation within broader contexts of racism, misogyny, heterosexism, xenophobia, inequality and ableism.

Constancy: 'There's such a level of permanence which affects everything'

Victim-survivors also spoke of the harms of image-based sexual abuse being constant and enduring. The abuse is, in itself, so often ongoing: the material remains 'out there', constantly available to be shared online, viewed and re-discovered, with each new viewing or distribution a form of abuse. Victim-survivors did not speak in terms of a discrete 'event' or 'incident' which 'happens' and then 'comes to pass'; but rather in terms of permanency, 'ongoingness' and 'endlessness'. The abuse feels relentless and perpetual.

Constant abuse

Maya: *Maybe you could have something happen to you that was traumatic, but you don't have to necessarily feel like you're defined by it for the rest of your life. But with this, there's such a level of permanence which affects everything ... especially if it's impossible now to take photos down, especially if it's impossible to stop the dissemination of the images ... There will never be a day in my entire lifetime that all of the images of me could ever be deleted.*

Anna: *There is no end to it, there is no stop, there is no finale ... It's like I'm quite aware that if I was to go on the internet or the porn websites now, I would ... find the videos of me ... it's a crime that doesn't just happen and then that's done, it's something that is continual, and this could continue for I don't know how long. It could go on for bloody ever.*

Constantly living in fear

Heather: *It was living a lot on sort of feeling on the edge ... it was more constant apprehension, every time I was getting an email or a message, it was, "Is this somebody telling me it's finally been shared"?*

Constant second-guessing every interaction

Heather: *I still have a lot of anxiety about speaking to people in case they know what happened back then, and that I'll always be judged that way ... And when things go wrong, if I go for a job interview and I don't get it, I always think what if it's because of that? What if they know about that through somebody? You associate everything with what happened.*

Constant digital threat and vigilance

Victim-survivors described their experience of constant digital threat and need for vigilance. Online activities and social media become a potential source of danger and site of trauma or re-traumatisation.

Abuse
Catastrophic
Shattered
Earth
Broken
Constant
Nightmare
Hell on earth
Violated
Catastrophic
Earth
World
All encompassing
Destroyed
Everything
Hell on earth
Torture
Soul
World
Nightmare
Control
Crumbled
Abuse
Rupture

Stephen: [It's become] a *hidden obsession to always check my phone ... And that's kind of become the way that I've coped with it, constantly checking my phone, to the detriment of like my work.*

Many victim-survivors are living in constant fear; constantly second-guessing every interaction; constantly suffering abuse.

This also extended to family members who were supporting victim-survivors. As the daughter of one of our victim-survivors said:

It never went away. He [the perpetrator] was always present in our family. He came on holiday with us, to school with us, he was in the car and in work with us ... The hardest thing was having no control. I didn't know if I would come home from school after a great day with my friends to find my mother collapsed on the stairs, or find her at home after coming home early from work due to the intense, torturing fear she had of even catching a glimpse of him.

Isolation: 'it narrowed down my world'

Many victim-survivors experienced a profound sense of isolation from family and friends, from the online world and social media and, therefore, from society as a whole. Image-based sexual abuse can shatter connections with others, often through a deep lack of trust: as Margaret told us, '*my trust has been totally shattered*'.

Deborah had a similar experience: '*I trusted my friends and I just felt like there was no loyalty and I just was absolutely gutted and ... I did feel very isolated the whole time after that*'.

Many participants withdrew from social media, notwithstanding the significant adverse impact on their social and professional lives, cutting them off from friends, family, peers and other forms of civic engagement.

Julia: *In a lot of ways it sort of isolates you even more in this day and age ... So I'm not on anything other than Facebook ... because I'm just petrified; it's just a scary, scary thought and I don't know who's watching.*

Lucy: *I don't really have an online presence anymore because I'm just so terrified of ... people contacting me because they've seen these pictures.*

The perpetrator 'has fundamentally threatened all aspects of my identity'

Margaret

'It made me very reclusive in general'

Danielle

Others now used social media with extreme caution. Their entire online engagement has been coloured by their experience and lack of 'trust', with the result that everyday activities had become potential moments of trauma and fear.

Key findings

- Shattering myths: the harms of image-based sexual abuse can be devastating and shatter lives
- Social rupture: a significant number of victim-survivors experience profound 'social rupture' where their lives shatter between before/after the abuse
- Constancy: the abuse itself is commonly ongoing, enduring and relentless
- Isolation: Victim-survivors can experience deep isolation from friends, families and society as a whole
- Gendered and intersectional harms: many victim-survivors experience devastating harms because of the social and political context, including the sexual double standard, racism, xenophobia, and the online abuse of women
- Medical trauma-focussed accounts do not fully explain the holistic nature and extent of the harms experienced by victim-survivors

Recommendations

- Ensure the intersectional, all-encompassing and often life-shattering harms of image-based sexual abuse are recognised in all policy and legal responses
- Move beyond medico-trauma understandings of the harms of image-based sexual abuse
- Understand the 'social rupture' experienced by many victim-survivors
- Recognise the constancy and perpetual nature of the abuse
- Ensure effective and sustained funding of victim-survivor support services
- Further work is urgently needed to recognise, centralise and respond to the experiences of black and minoritised women experiencing image-based sexual abuse, as well as any other individuals or groups facing interlocking oppressions in society, inclusive of racism, xenophobia, ableism, heterosexism and ageism.

Anna's story: 'It's torture for your soul'

When Anna was in an abusive relationship, she was coerced into sharing sexually explicit videos. When they broke up, Anna's partner told her that he'd deleted the videos. But he hadn't.

I can remember one night ... we were sitting watching TV, and he got up and he stuck a memory stick in the side of the TV and all these videos just ping, ping, ping up onto the screen, and he just looked at me as if to say, I've got these, and just remember I have. And I thought, my God. ... [when] I ended it, I was bombarded by text messages, phone calls, endless abusive voicemails, and all of which were saying, 'By the way, I am going to post these videos of you, you're going to be on the internet'.

One day Anna's friend told her that there were videos of her 'everywhere'.

On the day she found out that the videos had been widely shared – on social media, to all her family and friends, across her husband's workplace and onto internet porn sites. Anna told us: *'my whole world just crumbled'.*

The images had been viewed *'tens of thousands of times'* by the time Anna saw them. Anna went to the police but she said they *'weren't interested'*; they said it would be too difficult to find out who uploaded the videos; too difficult to get them taken down; too difficult to take the case further. Anna hired a lawyer and tried to get the videos taken down – sometimes this was successful – but, invariably, the videos kept re-appearing.

The impact on Anna has been devastating. She told us: *'I couldn't go out and I couldn't go to school to pick up my [children].*

I couldn't go shopping. I was completely withdrawn from the world ... in a massive deep depression and anxiety ... I had a breakdown twice and I was in therapy ... and I attempted suicide at one time'.

Anna changed the way she looked and her body size, all to try to avoid being recognised. Anna had to pay for counselling after waiting a year for support. She said *'I suppose it's money well spent' but it 'got me into difficulty with money'.*

Several years on, the impact continues: *'like the gift that keeps on giving, in a negative way, because there is no getting away from it' – 'it's just something that's never ending.'*

Anna works in a public-facing role, and she is in constant fear of someone mentioning the videos. This is a real fear – it has happened before – a few times men have come to her work and made comments about the videos. So this is a lived fear – *every single day.*

And one day soon, when her children are older, Anna knows she is going to have to tell them about the videos, before someone else does. She says: *'you can't just get over it'.*

Four years on, Anna says she is beginning to heal. *'I'm not quite as bad with anxiety; I'm not as bad socially, although I'm nowhere near the person I once was. That's gone and it's rebuilding a new part of me now'.*

Describing her total devastation, Anna said: *'It's torture for your soul, it really is'.*

Informal and ineffective police and criminal justice responses

MYTH: The police and criminal justice system are now ready to respond to non-consensual taking or sharing of sexual images

WRONG! Victim-survivors engaging with the police and criminal justice system still face inaction, disinterest and inadequate responses

Many of the victim-survivors we spoke to had reported the image-based sexual abuse to the police. For a small number, they felt the police took them seriously and 'responded as best they could'.

Where victim-survivors chose not to report to the police, it was often because they were concerned the police would blame them or not take their case seriously; they were ashamed, or they were worried about others finding out about the abuse and being publicly identified.

Unacceptable criminal justice responses

Only a very small number of the reports from our participants resulted in a prosecution – the majority of cases faced no further action.

The marked majority of the victim-survivors we spoke to were dissatisfied with the police response. Many said the police did not have a good enough understanding of the relevant legislation, or how to effectively investigate the offence.

Vicky: I don't feel like the police handled the situation well ... I felt like they were very respectful and nice about it but it didn't really feel like they had any set procedure on what to do when something like that got reported. It did sort feel like a bit of a mess.

Other victim-survivors were told that there were not enough resources, or it was 'too difficult' to investigate their case and prove an offence had been committed. This left many of our participants feeling as if the police did not take their reports seriously.

Lucy: [My] overall impression of the police is that they're just not interested in [the non-consensual distribution of images] as a crime at all. They just don't want to touch it. [The officer] was just trying to fob me off,

telling me all of the reasons why there were no resources for it, it was impossible to tell who'd done it. She didn't know anything about technology, so she wouldn't be able to investigate. She really went to town on telling me exactly why she wouldn't take any action.

Additionally, many victim-survivors felt unsupported by the police, and others described feeling they were blamed for the abuse they experienced:

Vicky: I felt like they just did think "oh it's just a girl sending nudes out, what does she expect?" and I don't know, it didn't have a good feeling to it at all ... It was almost like "... well, you should've been more careful. Why did you let him have this picture?" And obviously all that is important but I did definitely feel like I was back in school and sat down by a teacher and getting told off or something.

It's important to understand that these negative reactions from police have serious, life-threatening consequences:

Heather: The case officer I was given came around two days after I reported it and they took my first statement. So I had to tell them everything that happened ... and they instantly like victim blamed me for what had happened. She said "well I guess you've learnt your lesson". And I was really sad by that. Because it felt like if the police didn't have any sympathy or anything then nobody else probably would either. So it made me feel really bad.

And I had to get my friend to come over that night because I felt really unsafe in myself, I thought I'd probably harm myself ... I dreaded every phone call from [the officer] because I just found her so unhelpful ... it was quite triggering in a way.

Informal criminal justice responses

Some victim-survivors considered that the police ‘responded as best they could’. Often this was when the police had responded ‘informally’, for example, by issuing informal requests that images be taken down or destroyed; giving the perpetrator an ‘informal caution’; or warning the perpetrator that their ongoing behaviour could amount to a criminal offence.

In our research, this happened in over half the cases where the police were involved. Such responses commonly took place in situations where the police believed the abuse did not amount to a crime, or where they felt there was not enough evidence to prosecute.

Sarah had images of her photoshopped and shared on porn sites (‘fakeporn’) which is not generally covered by the criminal law, but the police officer felt that some action needed to be taken:

So the police officer and I agreed that I would get hold of [the perpetrator's] mobile number and the officer would call him and give him an informal caution and tell him to take [the sexual images] down immediately or they would come down and go through all his computers with a fine-toothed comb. Which worked ... I think the threat [the officer] made was ... a complete bluff, but it did seem to do the trick. [But it is] an informal caution so he had nothing on his record ... later when I felt a little bit more secure and confident I was a bit angry that he hadn't had anything more serious, but at least it meant that he knew that it was absolutely not on and I've never heard from him since.

Some victim-survivors were pleased that ‘something’ was being done. But others saw these informal responses as another way of the police minimising the seriousness of the abuse, and letting the perpetrator – in the words of one of our participants – ‘get off scot free’.

Criminal justice responses: Limited by gaps in the law

Police officers we spoke to also acknowledged that informal responses to image-based sexual abuse were commonplace – particularly due to a lack of available resources and many abuses not being covered by existing legislation. In particular,

‘Because it felt like if the police didn’t have any sympathy ... it made me feel really bad ... I felt really unsafe in myself, I thought I’d probably harm myself’

Heather

police were commonly responding to threats to share sexual images which is not covered by English law. As one officer told us:

You’ve got to actually disclose the images. And you’ve also got to have an intent to cause the victim distress. And if you don’t have that then you haven’t got the offence. So I feel like it’s, the law isn’t covering it properly. [And it] should just be disclosing these images is an offence ... So I know that officers do send letters to people to warn them and say “just so you know, this is an offence, don’t do it”.

Others expressed their frustration that image-based sexual abuse offences were not classified as sexual offences, because this limited the possible scope of their response, and does not automatically grant victims anonymity. One police officer expressed concern that he’d not been able to get a sexual harm prevention order despite considering the perpetrator to be high risk.

Key findings

- Shattering myths: despite reforms, the criminal justice system is still failing victim-survivors of image-based sexual abuse
- Failure to categorise these abuses as sexual offences limits the criminal justice response
- The police are using informal resolutions to respond to image based sexual abuse, often due to gaps in the law
- Police responses to image-based sexual abuse remain inconsistent and under-resourced
- Victim-survivors still experience victim-blaming and minimisation by some police
- Some victim-survivors are still reluctant to report to the police, including for fear of being publicly identified

Recommendations

- Specialist and effective training for police and criminal justice personnel
- Comprehensive statutory guidance for investigating and responding to all forms of image-based sexual abuse
- Greater police resourcing and technical support to investigate crimes of image-based sexual abuse

The law is failing victim-survivors

MYTH: All forms of image-based sexual abuse are against the criminal law

WRONG! Only some forms of image-based sexual abuse are currently criminalised

A patchwork of arbitrary and out-dated distinctions: 'the law has got to catch up'

The current law in the UK is inconsistent, outdated and confusing. Criminal law options are varied, complex, and, despite new measures, fail to adequately respond to all forms of image-based sexual abuse. In particular, there are:

- Different laws and requirements depending on whether an image is created without consent or distributed without consent
- Differing motives depending on offence
- Different thresholds for prosecutions – some offences require proof of intent to cause distress, sometimes actual distress, sometimes simply that a reasonable person would know that their actions would amount to harassment
- Differing categorisation of offences – some sexual offences, others not

Too often victim-survivors are left to navigate this difficult legal terrain without support, with the result that few of our participants secured a formal legal resolution to their case.

Misplaced focus on perpetrator's intention: It 'felt like everything else was brushed under the carpet'

Current law requires a focus on the perpetrator's motivation, rather than on the fact of non-consent. This is not only out of step with most other sexual offences – so labelled not because of the motivation, but because of the mode of perpetration – but significantly limits the utility and application of the law.

A number of the victim-survivors we spoke to were unable to bring their case within the remit of the criminal law because it was not possible to demonstrate the necessary intention requirements. Julia, whose ex-partner used her sexual images to set up a fake profile on a porn website and

What is the law on image-based sexual abuse?

Sharing sexual images without consent

Since 2015, in England and Wales, it has been a criminal offence to share a private, sexual image without consent, but only if it can be proven that the perpetrator did so intending to cause distress to the victim. This does **not** cover

- sharing for purposes of sexual gratification, financial gain, group bonding or a 'laugh'
- threats
- fake images, such as 'fakeporn'

There isn't even an automatic right to **anonymity** when someone reports to the police.

The law in Scotland is better, covering threats, altered images and allows for a conviction where the offender is reckless about their intentions. Northern Ireland largely follows English & Welsh law.

Voyeurism and 'upskirting'

It's a criminal offence in England & Wales to view or record someone who is engaged in sexual activity or toileting in privacy, without their consent – **but only** if the offender is doing so for the purposes of sexual gratification.

- For example, an image taken in a gym changing room without the person's consent is only an offence if done for sexual gratification.

It is now a criminal offence in England & Wales to take an **upskirt image or video, but only** if doing so with the motivation of sexual gratification or to cause distress.

- Upskirt images taken for a laugh, or group bonding amongst friends, or for financial gain are **not** covered.

If the upskirt image is then shared, onto a porn site for example, it's only an offence if done to cause distress to the victim.

Scots law is similarly limited to only some motivations. There is no upskirting law in Northern Ireland.

encouraged people to ‘take [her] down dark alleys and rape [her]’, was told by the police that there wasn’t sufficient evidence to suggest he intended to cause her distress as they believed he didn’t ever want her to find out what he was doing.

At other times, the ‘revenge porn’ label found its way – wrongly – into the interpretation of the statutory provisions.

Rhona: [The police officer] *didn’t think it was revenge porn because there wasn’t any revenge in it.*

Lack of anonymity: ‘It’s just ridiculous that there isn’t anonymity in place at all just now, it’s crazy’

Unlike for other sexual offences, the victim-survivors of image-based sexual abuse are not automatically granted anonymity. This means that their names can be – and are – published in news reports and elsewhere. The absence of anonymity is a key barrier to victim-survivors reporting it to the police.

Lucy: *because there is no anonymity ... it’s not something [reporting to the police] I would do again. Even if you could guarantee me that the police would be very sympathetic and take it seriously and investigate, I still wouldn’t do it because there’s no anonymity.*

Civil law: It’s ‘not economically viable for most of the human race’

Unfortunately, while civil law options are effective, they are under-used and expensive. The cost of raising a civil claim means that access to this form of redress is dependent on the availability of substantial resources and is therefore distributed unequally, for example, excluding certain socioeconomic groups, and individuals with no recourse to public funds. Civil image-based sexual abuse cases are, in the words of one lawyer we spoke to: ‘nearly all slam dunk cases’. In addition, they provide an important avenue for victim-survivors to reclaim control:

When you bring a civil action, you retain control over the position; whereas, if you deliver something to the police, you don’t have to gather evidence which is great, but essentially the issue is taken out of your hands and it is processed by the police and given to the CPS and they can decide what to do.

Lawyer working with victim-survivors

‘Even if you could guarantee me that the police would be very sympathetic and take it seriously and investigate, I still wouldn’t do it because there’s no anonymity’

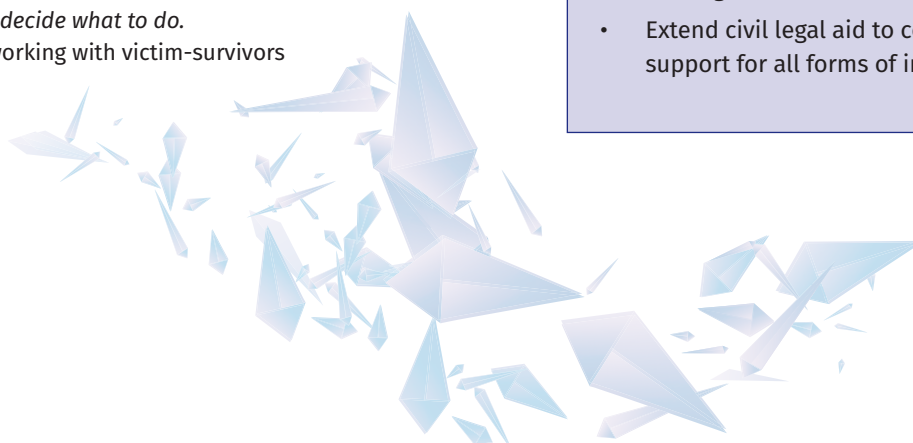
Lucy

Key findings

- Shattering myths: the current criminal law is failing victims of image-based sexual abuse
- The failure to categorise all forms of image-based sexual abuse as sexual offences misunderstands the sexual nature of the offending
- Lack of anonymity is a clear disincentive from approaching the police and supporting prosecutions
- Existing civil law can provide an effective route to redress but is expensive and complicated cost arrangements prevent most victim-survivors from accessing it
- Victim-survivors need help negotiating the difficulties of legal action and supporting a criminal prosecution or civil action

Recommendations

- Introduce a comprehensive criminal law covering all forms of non-consensual taking and/or sharing of private sexual images, including threats and fake images
- Remove motivation thresholds and focus on non-consent
- Extend automatic anonymity to all complainants of image-based sexual abuse
- Extend civil legal aid to cover legal advice and support for all forms of image-based sexual abuse



Mixed responses from schools, universities and employers

Some victim-survivors had suffered image-based sexual abuse while at school or university or from a work-colleague, raising disciplinary and formal/informal management issues. Others had experienced the abuse elsewhere, but sought support from their school or employer to enable them to carry on their education or professional lives. We found that responses to disclosures were very mixed.

Varied institutional responses: 'They were protecting the reputation of the [place of employment]'

We found that employer/institutional responses to disclosures of image-based sexual abuse were extremely varied. Frances' employer was really supportive when a colleague shared her images: They were 'great, they didn't once for a second doubt me. I just said this has happened. I was very honest about it ... They were pretty outraged. They called him into the office and he lost his job because of it'.

On the other hand, Stephen's employer was 'utterly useless ... utterly unsympathetic ... [my concerns and requests for support were] completely dismissed out of hand'.

The inaction or inadequate response from others went so far as to 'normalise' the behaviour:

Margaret: basically, they normalised what he did ... [and] we're now going to ensure that it looks like he actually hasn't done anything wrong. So, they took that to the absolute extreme [they rewarded him].

Other responses could be characterised as victim-blaming:

One school ... asked me to come in to terrify, basically, the whole school population in a school assembly because they were so concerned with this issue ... But how they decided to approach it was to call individual young women who'd been victims ... literally in front of the whole school and to ... say "if you didn't take images of yourself then you wouldn't be like these girls". It was horrific.

Stakeholder working with victim-survivors

Guidance required for schools and employers

These mixed responses highlight the lack of information for employers and emphasises the need for national level guidance and support, such as we are now seeing around domestic abuse and the workplace.



Reluctance to disclose: ‘I don’t want to be in trouble for this’

While we only spoke to victim-survivors over 18, many shared experiences of image-based sexual abuse when at school. Invariably, these experiences were overwhelming, often clouding their whole school experience and development of future relationships. In these situations, victim-survivors often face the social consequences of the abuse on an everyday basis.

Zoe: I’d always feel really scared at lunchtime because you never knew when you were going to end up in the corner of a corridor where you’d be with those people who would be talking about it or trying to tease you about it ... I was 13 when the incident happened ... and at 25 now I remember it really clearly.

All the victim-survivors we spoke to felt reluctant to disclose their experiences to schools. They feared being blamed for their actions, being punished, their parents being informed and, overall, that it would make the whole situation worse. This means that image-based sexual abuse can be particularly tough on teenagers who are wary of reporting and instead silently try to cope with the situation, whilst constantly being exposed to what happened to them (for example their friends may know, or the perpetrator is always in close proximity).

Need for specialist and effective education

Raising awareness and educating younger people about the harms of image-based sexual abuse is fundamental, so that it does not become normalised and so that the victim-survivors do not feel that they just need to ‘laugh at a prank’ or suffer silently.

‘I think I would rather just have continued on and just try to be strong for myself, and say I’m not having my education held back because of this horrible event. But it was completely out of my control, so I was held back for a year – which was probably better for me in the long run, just considering what had happened and how I didn’t get any closure or justice for it’

Jennifer

Echoing the views of many, Heather recommends education on the impact and effects of image-based sexual abuse: *‘They’re sharing it because they think it’s a cool thing to do and not realise the effect that it actually has on the person, and I think if they were more aware ... even if it was just one of them that changed their view’.*

A number of the stakeholders we spoke to who were working with schools commented on the need for a proactive, whole school or community approach to the issue, across schools universities, clubs, social venues and workplaces. In particular, they spoke of locating image-based sexual abuse within a broader cultural context of consent, sexual violence, hyper-sexuality, power and control.

It’s something that I feel should absolutely be addressed in any curriculum for relationships and sex education ... we advocate for the whole school approach where there is knowledge and awareness of these issues that young people are facing, threaded through the whole school so that any teacher ... is able to properly respond to witnessing or someone disclosing this types of behaviour.

Stakeholder working with victim-survivors

Key findings

- Victim-survivors are seeking support and action from a range of institutions – schools, universities and employers
- Reactions were mixed with some examples of best practice but other wholly inadequate responses
- Better and more effective education – in schools, universities, social venues and workplaces – is vital to prevent image-based sexual abuse

Recommendations

- Schools, universities and employers must put in place training and policies to effectively and compassionately respond to disclosures of image-based sexual abuse
- Relationships and sex education in schools must include discussion of the harms and wrongs of image-based sexual abuse
- Production of national level guidance and support for schools and employers mirroring that around domestic abuse and the workplace

Reclaiming control: supporting victim-survivors

MYTH: Websites and social media are now good at taking down these images/videos and the police can help.

WRONG! It can take victim-survivors months, sometimes years, to get images/videos removed and sometimes it's impossible. This is something they often do alone as support is limited

A loss of control characterises the experiences of many victim-survivors and so supporting them to 'reclaim control' is vital and must focus on three main areas.

Rationally it's a photograph. It's paper with lots of different coloured inks on it to portray what looks like you. But it kind of embodies your identity as well. I think that is where the difficulty lies for survivors. It comes back to that control thing. It's out of control.
Stakeholder supporting victim-survivors

Removing images/videos

Victim-survivors want their images taken down and removed from the internet. As Sarah explained:

I really would have appreciated practical support, how to make sure that all the traces are wiped out, even when the account has been shut down on the porn website. No one seemed to know anything about how to do it.

Sometimes lawyers and organisations like the [Revenge Porn Helpline](#) can provide assistance. Rhona got help from the Revenge Porn Helpline who 'were really responsive and ... great'. Such services were generally the first port of call for victim-survivors, as their first priority was to get material taken down. But the lawyers can be expensive and the helplines have limited capacity.

We've had cases where things have ... been online for years ... you do get that slight sinking feeling when you search one image ... and they say "I've found it on 3 websites", and you do a reverse image search ... and you find it on 10 pages ... of Google search results. And then you go, "Ok, this is going to take a while to go through".
Stakeholder working with victim-survivors

More often victim-survivors do this alone, or with the help of trusted friends. As one stakeholder put it 'they have to look for their own abuse online, to find it, in order to report it' and this constant viewing of the images can itself be a 'trauma'.

Establishing an Office for Online Safety

We recommend the Government establish an organisation that provides resourced and expert assistance to help victim-survivors reclaim control, as well as having an educative role in combating image-based sexual abuse.

Such an organisation may form part of the Government's broader regulatory mechanisms dealing with online harms – but, so far, Government proposals do not include direct help and support for victim-survivors and the educative focus is on individuals protecting themselves, rather than challenging abusive and misogynistic attitudes and behaviours. There needs to be a comprehensive package of support and intervention tackling image-based sexual abuse.

Role of Office to include:

- Providing specialist advice, support and assistance to victim-survivors to get images/videos taken down, including an enforcement role to order take-downs
- Resourcing specialist support services for victim-survivors, including counselling and legal advocacy
- Resourcing and championing educational initiatives to challenge cultural attitudes and behaviours that sustain online and image-based sexual abuse

The Office could be jointly **funded** by Government and relevant industries.

In establishing this Office, we can learn from international best practice including the Australian [Office of the eSafety Commissioner](#), New Zealand's [Netsafe](#) and South Korea's Advocacy Centre for Online Sexual Abuse Victims.

I think many of the people who talk to us do feel like they are dealing with it on their own ... there's a lot of shame ... that prevents a lot of people from getting help that they maybe would for other similar legal claims of harassment or stalking.

Lawyer working with victim-survivors

More support and services are needed that are freely and easily available to help victim-survivors get images and videos taken down – and fast. This requires investment in the appropriate technical and specialist expertise – ideally through bespoke organisations such as the [Revenge Porn Helpline](#) as well as a national, Government-funded Office for Online Safety.

While most of the social media and internet companies have processes to remove images, they are often slow, complicated, and sometimes reliant on personal connections. Lucy said, it feels as if ‘they can just wash their hands of it’. Accordingly, many victim-survivors spoke of their desire to hold the online platforms accountable for the perpetuation and constancy of the harms they were experiencing. Some spoke of ‘bringing claims against websites’, while others suggested that larger platforms might lead the way in providing better ways of supporting victim-survivors:

[If] they had a zero tolerance approach towards this, then there's the potential that other smaller kind of companies whatever would follow suit with it. But I think that they do not take any responsibility on this at all.

Stakeholder working with victim-survivors

Lucy: For me it would be a way of ensuring that the websites themselves aren't able to publish these pictures, or that they're shut down ... I'm not particularly vengeful ... So I wouldn't even be that bothered about seeing my ex behind bars or anything like that. I would just prefer to be able to move forward and live my life normally. But I don't feel that I can do that if these pictures are constantly popping up, and people are sharing them and things.

Long-term specialist emotional support

Some victim-survivors need to access emotional and psychological support to help them deal with their experiences. As with other forms of sexual abuse, accessing such services is often difficult, with long waiting lists.

Anna: The support system for people who have had this happen to them, it needs to be more available to people, because if you're waiting on the NHS to give you help with anything, any therapy or anything like that, you'll be off the bloody bridge and you'll be gone by the time they phone.

Also, victim-survivors told us services really need to understand what image-based sexual abuse – to really recognise the enduring nature of the abuse and the extent of the harms.

More specialist services that understand image-based sexual abuse are, therefore, essential. This could be achieved through

better resourcing of existing services such as [Women's Aid](#) and [Rape Crisis](#), as well as funding for bespoke services such as the [Revenge Porn Helpline](#) and [Victims of Internet Crime \(VOIC\)](#).

Additionally, it is essential that long-term, holistic and specialist support is available to address the intersectional risks and harms that may be engendered by image-based sexual abuse. Stakeholders who work with black and minoritised (BME) women, for example, highlighted the additional risks, barriers and impacts that women might face, due to interlocking structural inequalities and oppressions such as: racism, migrant status, the related ‘hostile environment’, No Recourse to Public Funds, misogyny and so-called honour-based violence. It is vital therefore that there are a range of well-resourced services equipped to support victim-survivors of image-based sexual abuse, across the BME, LGBT+ and disability sectors.

Advocacy and Legal Support

Victim-survivors also need freely and easily accessible advocacy and legal support to navigate the complicated legal terrain. Criminal law options are varied and complex; many police don't fully understand the law. Civil law options are effective, but under-used and expensive. Victim-survivors need help negotiating the difficulties of legal action and supporting a criminal prosecution or civil action, and resources need to be provided for more effective police training.

Key findings

- Shattering myths: getting images removed from the internet can be difficult, costly and time-consuming
- There is a lack of advocacy and legal support available for victim-survivors
- Legal options are confusing and often expensive
- Victim-survivors need effective and straightforward support to get images/videos taken down and removed from the internet
- Long-term counselling and other specialist emotional support is vital

Recommendations

- Comprehensive Government policy on supporting victim-survivors of image-based sexual abuse, including sustained and effective resourcing of specialist support services, inclusive of specialist services for black and minoritised women
- Establishing an Office for Online Safety to provide specialist advice, assistance and support for victim-survivors, as well as focussing on prevention through education

Recognition and redress beyond the criminal justice system

MYTH: Victim-survivors always want a punitive, criminal justice response.

WRONG! Many victim-survivors seek greater recognition of the harmful and unjust nature of image-based sexual abuse beyond the criminal justice system, possibly through restorative approaches

Restorative approaches: 'I wish that someone had sat him down and said this is wrong'

While many victim-survivors seek a criminal justice response to their experiences, and the civil law could be used more often, a number we spoke to also emphasised the need for 'some kind of punishment, but not prison'.

Typically, they focused on the need for greater recognition – from perpetrators and society more generally – possibly through more 'restorative' approaches which were seen by some to be more effective (in terms of attitudinal change) than a prison sentence.

Mary: *I think, looking back now, an apology would have been nice, or some ownership of, "Okay, I thought you would have been okay with that and I'm sorry, I should have asked".*

Danielle: *I'd just want him to realise that what he did was wrong and like have some kind of mediation where I could actually confront him about it and just tell him what he'd done and like how awful it made me feel and just make it clear to him like what he did was wrong and why it was wrong and what the consequences were of it.*

'An apology and confirmation that he deleted everything he had, would have been good. Some kind of reassurance that I'm not at risk anymore and that he knows he did something wrong'

Sofia

'I think then the most important thing would be has he actually properly thoroughly understood it and understood how much it affected me, and how gross it is and then that changed his view ... I would like him to have to actually face me ... so I can tell him how it has affected me'

Fiona

Key findings

- Shattering myths: Victim-survivors want better recognition of the wrongfulness and harms of their experiences
- Some victim-survivors would like more restorative approaches to help perpetrators to understand the impact of their actions

Recommendations

- Alternative and/or additional restorative solutions to be considered where suitable
- Ensure availability of appropriate expertise for victim-survivors who seek such redress

Recommendations

What is image-based sexual abuse?

- 1 Extend English, Welsh and Northern Irish law to cover threats to share nude or sexual images without consent
- 2 Extend English, Welsh and Northern Irish law to cover altered, 'fake' sexual images
- 3 Recognise image-based sexual abuse as a sexual offence
- 4 Adopt a comprehensive criminal law to cover all forms of image-based sexual abuse

Control and misogyny motive perpetrators

- 5 Recognise image-based sexual abuse as being motivated more by control and misogyny, masculine entitlement and attitudes, than 'revenge'
- 6 Remove motive requirements from current laws to bring them into line with other sexual and criminal offences
- 7 Government funded education and prevention campaigns to challenge attitudes and motivations driving image-based sexual abuse

Social rupture and the harms of image-based sexual abuse

- 8 Ensure the intersectional, all-encompassing and often life-shattering harms of image-based sexual abuse are recognised in all policy and legal responses
- 9 Move beyond medico-trauma understandings of the harms of image-based sexual abuse
- 10 Understand the 'social rupture' experienced by many victim-survivors
- 11 Recognise the constancy and perpetual nature of the abuse
- 12 Ensure effective and sustained funding of victim-survivor support services

Informal and ineffective police and criminal justice responses

- 13 Specialist and effective training for police and criminal justice personnel
- 14 Comprehensive statutory guidance for investigating and responding to all forms of image-based sexual abuse
- 15 Greater police resourcing and technical support to investigate crimes of image-based sexual abuse

The law is failing victim-survivors

- 16 Introduce a comprehensive criminal law covering all forms of non-consensual taking and/or sharing of nude or sexual images, including threats and fake images
- 17 Remove motivation thresholds and focus on non-consent
- 18 Extend automatic anonymity to all complainants of image-based sexual abuse
- 19 Extend civil legal aid to cover legal advice and support for all forms of image-based sexual abuse

Mixed responses from schools, universities and employers

- 20 Schools, universities and workplaces must put in place training and policies to effectively and compassionately respond to disclosures of image-based sexual abuse
- 21 Relationships and sex education in schools must include discussion of the harms and wrongs of image-based sexual abuse
- 22 Production of national level guidance and support mirroring that around domestic abuse and the workplace.

Recognition and redress beyond the criminal justice system

- 23 Alternative and/or additional restorative solutions to be considered where suitable
- 24 Ensure availability of appropriate expertise for victim-survivors who seek such redress

Taking back control: supporting victim-survivors

- 25 Comprehensive Government policy on supporting victim-survivors of image-based sexual abuse, including sustained and effective resourcing of specialist support services, inclusive of specialist services for black and minoritised women
- 26 Establish an Office for Online Safety to provide specialist advice, assistance and support for victim-survivors, as well as focussing on prevention through education
- 27 Further work is urgently needed to recognise, centralise and respond to the experiences of black and minoritised women experiencing image-based sexual abuse, as well as any other individuals or groups facing interlocking oppressions in society, inclusive of racism, xenophobia, ableism, heterosexism and ageism

About this research

The Revenge Pornography: The Implications for Law Reform project is funded by the Australian Research Council (ARC) (DP170101433).

The project is the first comprehensive, mixed-methods, interdisciplinary and cross-jurisdictional study of its kind. It empirically examines the prevalence, nature and impacts of image-based sexual abuse experienced by a diversity of adults in three key project sites: Australia, New Zealand and the UK. It also investigates civil and criminal justice responses in national and international contexts.

The aim of the project is to gather robust evidence and build a theoretical understanding of this phenomenon from which law reform can be developed. This is achieved through the following methods: 75 semi-structured interviews with victim-survivors of image-based sexual abuse; 50 semi-structured interviews with stakeholders, including police, lawyers, policymakers, and sexual and domestic violence support services; three national online surveys with approximately 6,000 participants aged between 16-65 years; comprehensive analyses of legislative responses to image-based sexual abuse globally; and two roundtable events in London and Melbourne. Ethical approval was granted by each of the universities where researchers are based.

Limitations of the research

The authors of this report would like to explicitly acknowledge that there are key gaps in understanding experiences of, and responses to image-based sexual abuse which this report does not address. In particular, our analysis and according policy recommendations do not speak to all the experiences of black and minoritised ethnic (BME) women for whom the harms of, and responses to, image-based sexual abuse are racialised. Further work is urgently needed to recognise, centralise and respond to the experiences of black and minoritised women experiencing image-based sexual abuse, as well as other individuals or groups facing interlocking oppressions in society, inclusive of racism, xenophobia, ableism, heterosexism and ageism.

While a number of the interviews we conducted demonstrated the additional and intersectional harms, risks and barriers that image-based sexual abuse can engender, our data does not comprehensively speak to all of these intersectional harms, risks and barriers, and nor, consequently, do our research findings and policy recommendations, which are necessarily informed by our own personal, disciplinary, institutional and functional positionalities.

We have made this explicit recognition of the limitations of this research within this report to reinforce the criticality of including a comprehensive range of intersectional and minoritised experiences within all research outputs, and of recognising, acknowledging and responding to their absence. Research which fails to do so risks silencing, denying and thus erasing minoritised experiences. This explicit stance is all the more

pertinent, given the systemic exclusion that BME women and other minoritised individuals and communities currently experience – across processes of research, knowledge production, and social policy development – in addition to the devastating cuts that specialist services across the BME, disability and LGBT+ sectors have faced in recent years.

About this report and research participants

This report draws primarily on 25 interviews with victim-survivors of image-based sexual abuse and over 25 stakeholders from across the UK conducted by Clare McGlynn, Erika Rackley, Kelly Johnson and Asher Flynn.

25 victim-survivors were recruited via opportunity sampling through local charities, universities, relevant social media groups and word of mouth. Interviews were held in person, over the phone and by Skype. The vast majority identified as women, with three identifying as men, and as white British and heterosexual, although as a group, the interviewees encompassed a range of ethnicities and sexualities. It is clear that image-based sexual abuse is not a new phenomenon, nor is it limited by location or by victim-survivors' identity characteristics, such as gender, ethnicity, age or sexuality. Victim-survivors spoke of having images taken and/or shared at home, work, school, and parties. Many of the victim-survivors were still experiencing the impacts and harms of the original action, the majority of which had taken place within the last 5 years, however for some this had taken place over a decade earlier. The names used in this study are pseudonyms given by the researchers.

UK stakeholder participants were recruited from across the UK via professional networks and internet searches. We spoke to those working directly with women and men survivors of sexual abuse, children and on internet safety, as well as the police, lawyers and policy-makers. These included organisations working across the UK as well as those with a specific focus on Scotland and Northern Ireland.

References and further reading

- Clare McGlynn, Erika Rackley and Ruth Houghton, '[Beyond 'Revenge Porn': The Continuum of Image-Based Sexual Abuse](#)' (2017) *Feminist Legal Studies* 25(1): 25-46
- Clare McGlynn and Erika Rackley, '[Image-Based Sexual Abuse](#)' (2017) *Oxford Journal of Legal Studies* 37(3): 534-561
- Clare McGlynn and Erika Rackley, '[Not "revenge porn" but abuse, let's call it image-based sexual abuse](#)' *Inherently Human* blog 15 February 2016
- Anastasia Powell and Nicola Henry *Sexual Violence in a Digital Age* (2017, Palgrave)
- Nicola Henry, Asher Flynn, Anastasia Powell, [Responding to 'Revenge Pornography' – prevalence, nature and impacts](#) (Report to Australian Criminology Research Council, March 2019)

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Sources of Advice and Support

Revenge Porn Helpline

<http://www.revengepornhelpline.org.uk/>

Women's Aid

<https://www.womensaid.org.uk/information-support/>

Scottish Women's Aid Helpline

<https://womensaid.scot/contact/#helpline>

Rape Crisis

<https://rapecrisis.org.uk/get-help/want-to-talk/>

Rape Crisis Scotland helpline

<https://www.rapecrisisscotland.org.uk/help-helpline/>

Victims of Internet Crime (VOIC)

<https://voic.org.uk/>

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